



Public Notice

Applicant:
Lorain Port Authority

Date:
Published: Dec. 8, 2000
Expires: Jan. 7, 2001

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-CO-R RE: 2000-00043(1) Section: OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Lorain Port Authority, c/o Richard Novak, Director, 110 Alabama Avenue, Lorain, Ohio 44052, has applied for a Department of the Army Permit to work and place fill in the Black River. The project is located on the west bank of the Black River, south of Erie Avenue Bridge and northeast of Broadway Avenue, in the City of Lorain, Lorain County, Ohio.

Department of the Army authorization is required to work and place fill in connection with the construction of a 400 linear foot docking facility.

The proposed project consists of the following:

1. Install 400 linear feet of steel sheetpiling.
2. Dredge an area approximately 60 feet by 400 feet along the proposed dock to a depth of 552 feet International Great Lakes Datum (IGLD) 1985. Approximately 7,000 cubic yards of material will be dredged. Approximately 125 cubic yards of material will be placed below the ordinary high water mark, 573.4 feet IGLD (1985), on the landward side of the proposed sheetpile dock. The remainder of the dredged material is to be placed at the Corps of Engineers Lorain Confined Disposal Facility.
3. Perform periodic maintenance dredging of the docking facility to a bottom elevation of 552 feet IGLD 1985. Material dredged will be disposed of at the Corps of Engineers Lorain Confined Disposal Facility.

To mitigate for the proposed impacts, the applicant is proposing to restore and enhance approximately 400 feet of riparian and riverine habitat as described on sheet 7 of 7.

The stated purpose of the project is to develop a multi-modal transportation center which will serve as a local and regional attraction for tourism and economic development.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark T. Lesinski, who can be contacted by calling (440) 437-5840, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Don Povolny or Ms. Kim Baker
Ohio Department of Natural Resources
Division of Real Estate and Land Management
Resource Management Section
1952 Belcher Drive, Building C-4
Columbus, Ohio 43224-1386
Telephone (614) 265-6411
FAX (614) 267-4764
e-mail: kim.baker@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076, and should be marked to the attention of Mark T. Lesinski, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

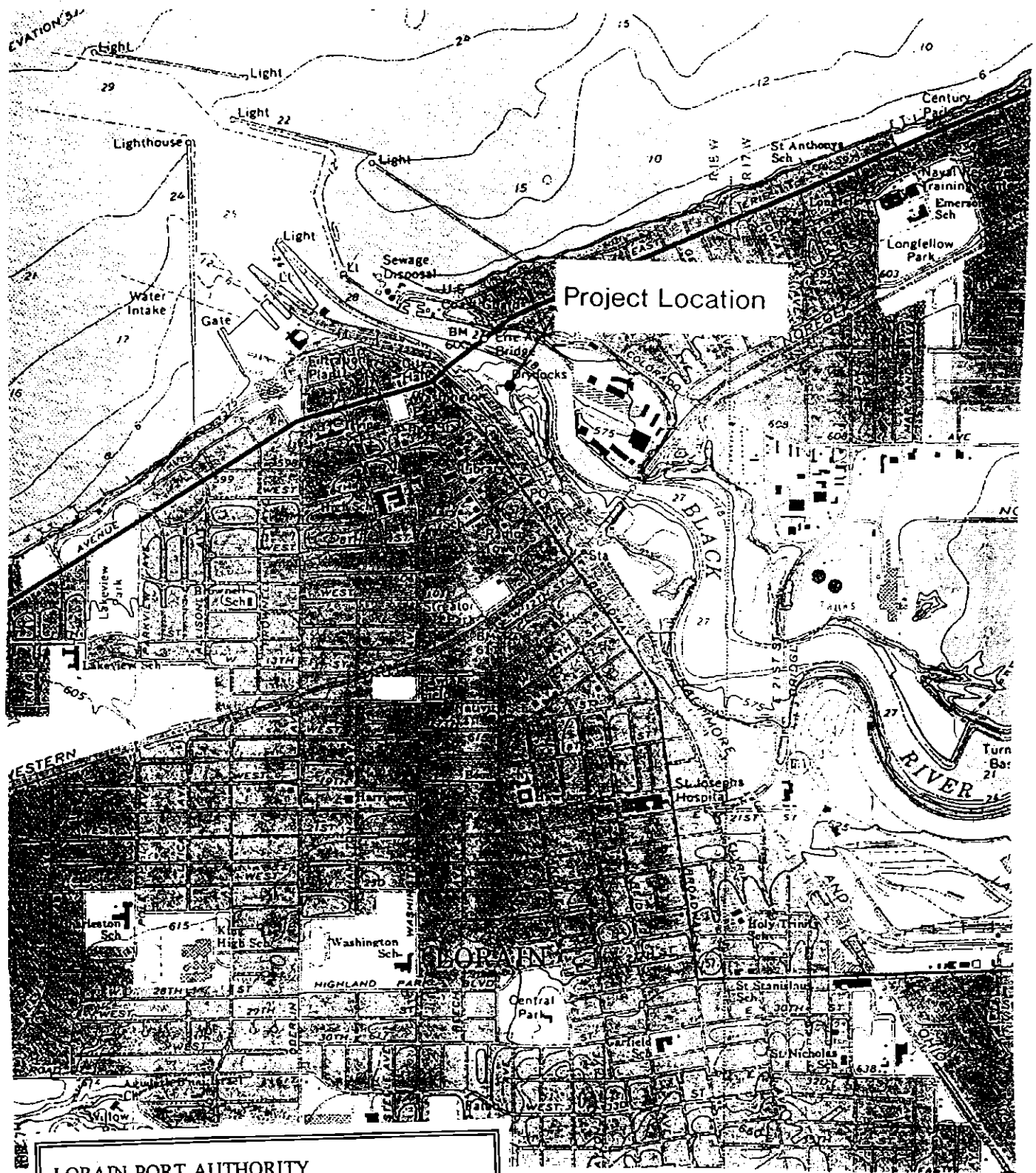
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.



Kathleen M. Ryan
Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



LORAIN PORT AUTHORITY
 D/A Processing No. 2000-00043(1)
 Lorain County, Ohio Quad: LORAIN
 Sheet 1 of 7

THE LORAIN PORT AUTHORITY
 Black River Station - Grove Site

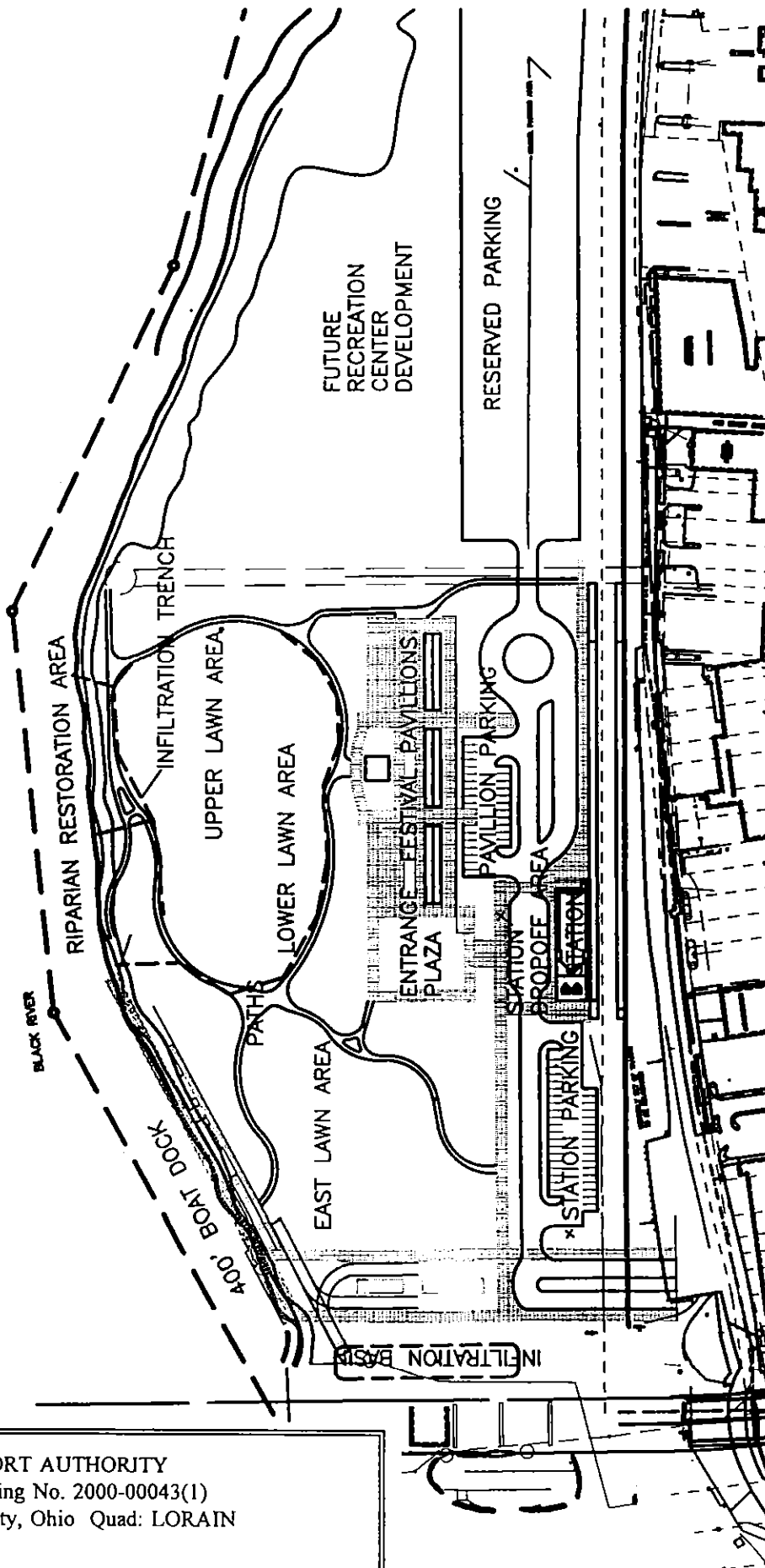
Project Location

URS Corporation

0 2000'
 SCALE 1" = 2000'



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Lorain County, Ohio Quad: LORAIN
Sheet 2 of 7

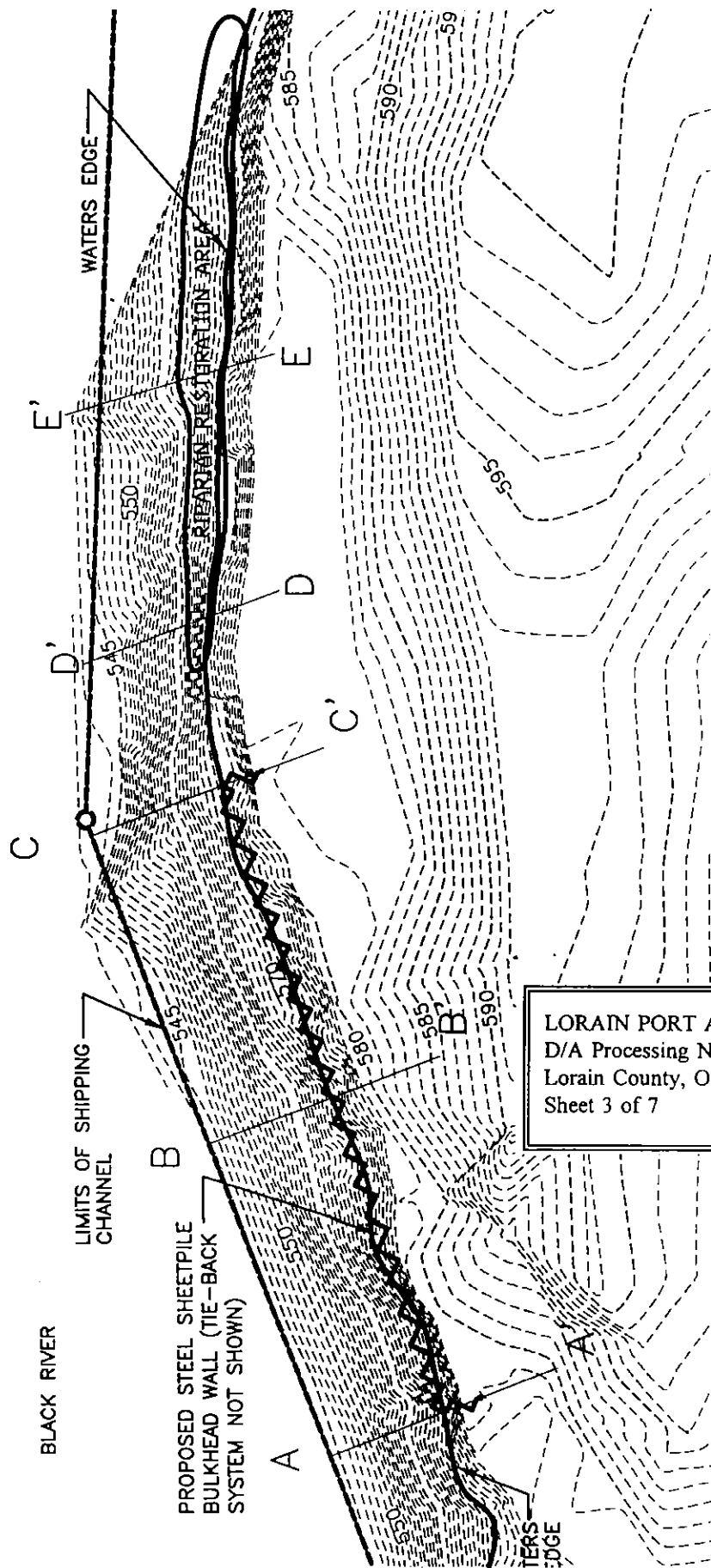


THE LORAIN PORT AUTHORITY
Black River Station - Grove Site

Site Features Plan

URS Corporation





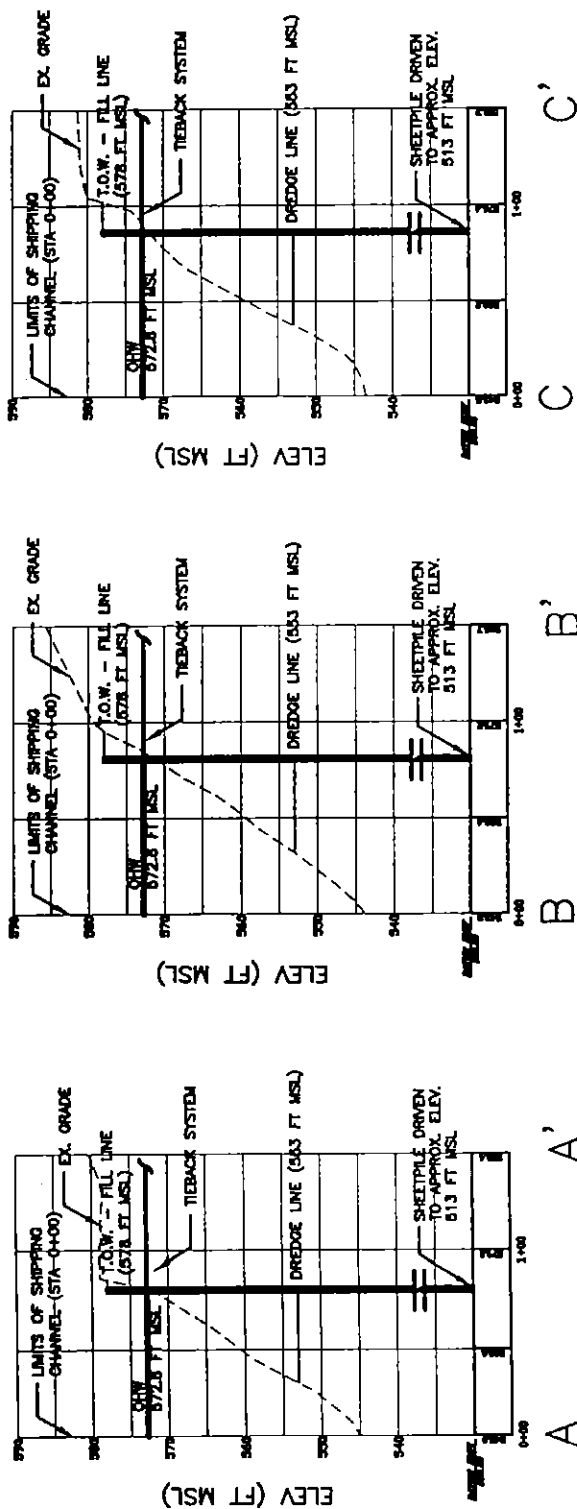
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THE LORAIN PORT AUTHORITY
Black River Station - Grove Site

Site Plan-Proposed Bulkhead
Wall and Aquatic Enhancement

URS Corporation

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Lorain County, Ohio Quad: LORAIN
Sheet 4 of 7



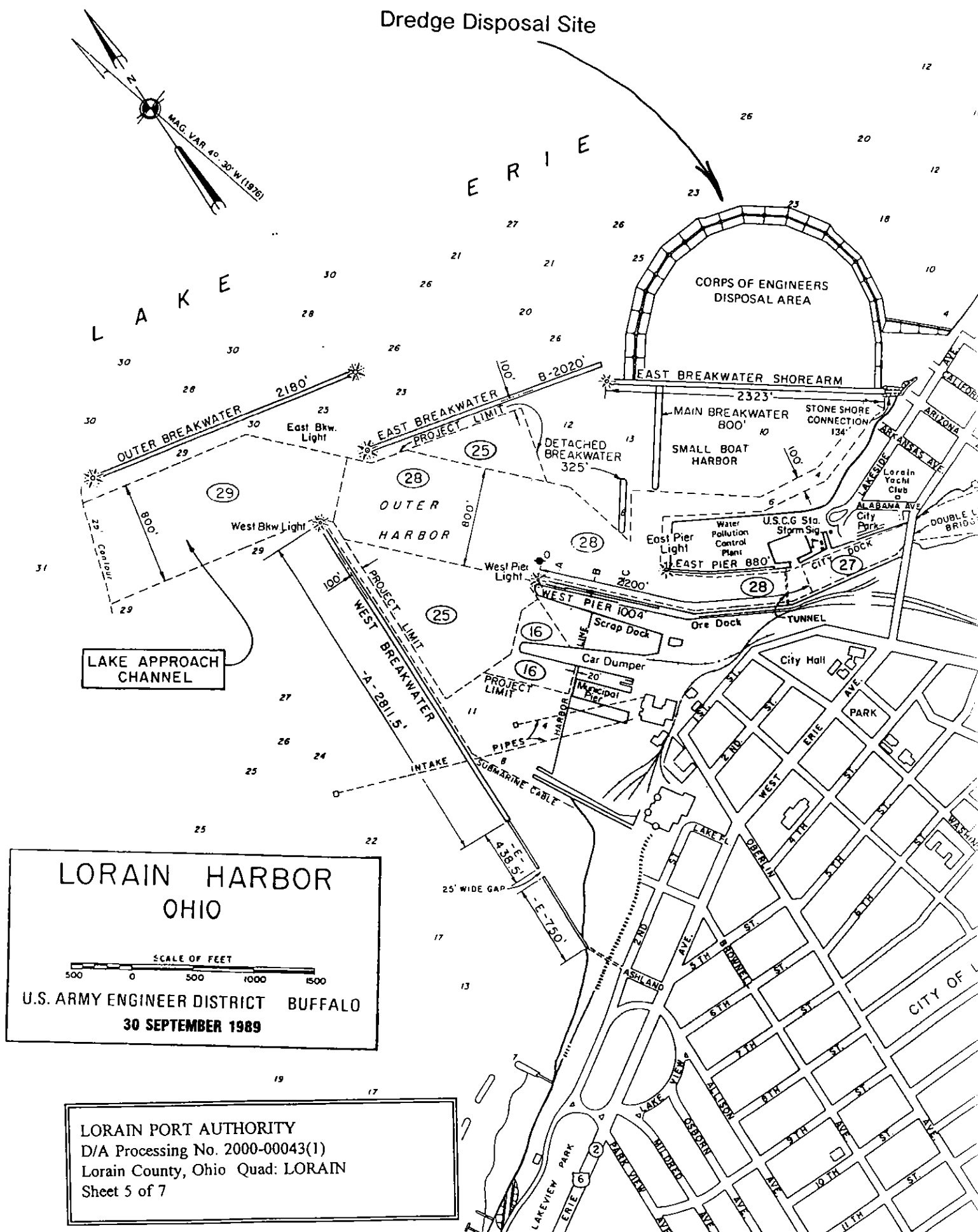
THE LORAIN PORT AUTHORITY
Black River Station - Grove Site

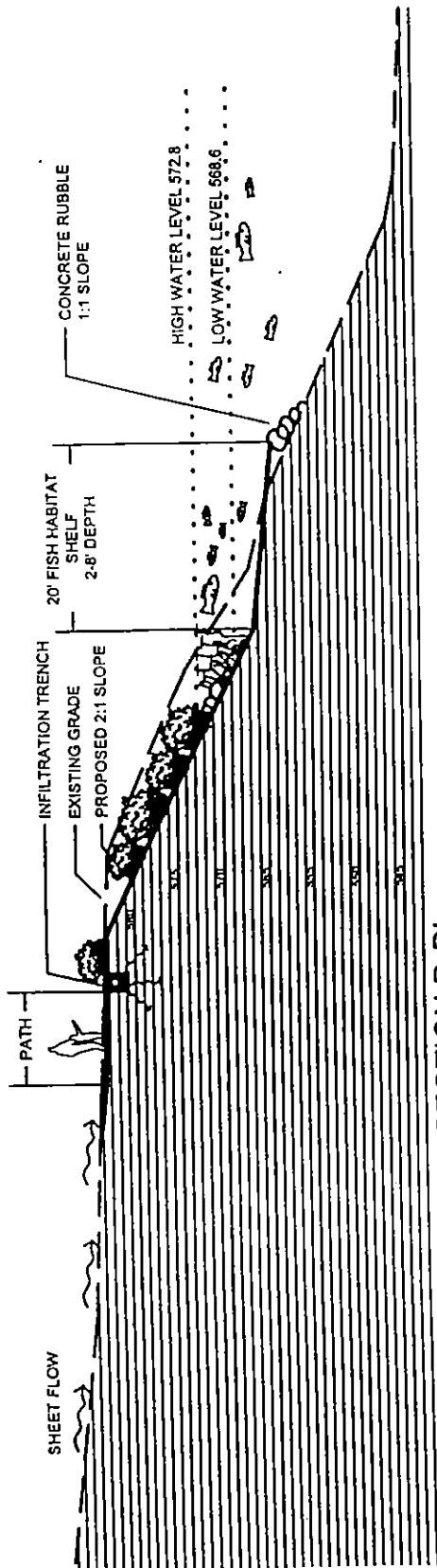
Typical Sections-Proposed
Bulkhead Wall

URS Corporation

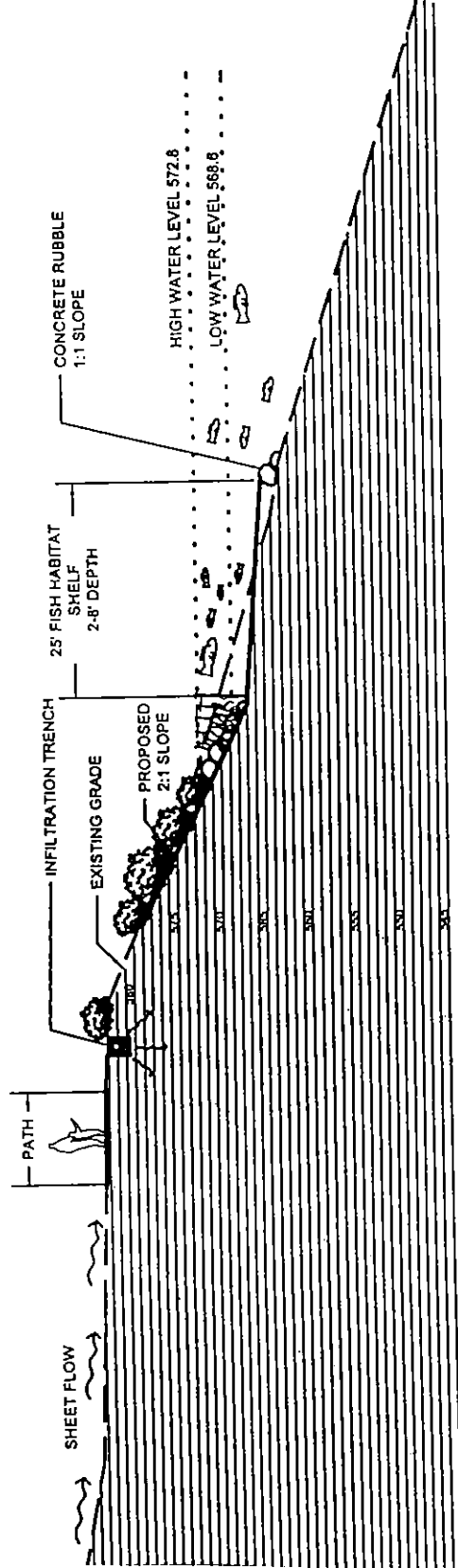
100'
HORIZONTAL SCALE 1" = 100'
25'
VERTICAL SCALE 1" = 25'

Dredge Disposal Site





SECTION D-D'



SECTION E-E'

LORAIN PORT AUTHORITY
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Lorain County, Ohio Quad: LORAIN
Sheet 6 of 7

0 20'
SCALE 1" = 20'

THE LORAIN PORT AUTHORITY
Black River Station- Grove Site

Typical Sections-Riparian
Restoration

URS Corporation

CONCEPTUAL MITIGATION PLAN

This Conceptual Mitigation Plan presents the Lorain Port Authority's proposed approach to offset aquatic impacts associated with the 400-foot bulkhead for the Minimal Degradation Alternative. A 400-foot onsite riparian restoration is proposed in which bank stabilization plantings will be combined with aquatic habitat enhancements. As shown on Figure 4, this area begins approximately 70 feet south of the bulkhead wall, which will allow a transition from the dredged boat mooring area and adjacent dock facilities to the riparian restoration area with an aquatic habitat shelf.

Figure 4 identifies the locations of two sections through the riparian restoration area, which are illustrated in Figure 6. The aquatic habitat enhancements will be constructed by some limited excavation of the existing slopes to create an aquatic habitat shelf. The shelf is designed to provide fish habitat, and will be 6-8 feet below Ordinary High Water (OWH = 572.8). The depth and configuration of this habitat area was developed through consultation with OEPA (pers. comm. with Mr. Roger Thoma, Twinsburg office), as well as other agency personnel. Root wads, submerged logs, and other treatments were considered as bank stabilization or habitat features. However, relatively low water velocities, and the fact that the site is located on an inside bend of the river, do not warrant this level of bank stabilization measures. Furthermore, these habitat features are generally not beneficial in the lower reaches of the Black River, which is primarily influenced by Lake Erie water levels.

As shown in Figure 6, concrete rubble will be placed in the river to establish the toe of slope, which will become the base of the aquatic shelf. A small amount of clean fill will be placed behind the rubble to form the aquatic shelf, and the remainder will be excavated from the existing slope. This was determined to be the most cost-effective means to construct the aquatic enhancements, while still maintaining adequate clearance from the federal shipping channel.

The aquatic shelf will generally be inundated by 2-8 feet of turbid water, but a limited quantity of yellow water lily (*Nuphar luteum*) will be planted to establish a floating-leaved aquatic plant community. A small amount of concrete rubble will be placed on the adjacent slope that will be subject to wave action and intermittently exposed by fluctuating water levels. Plantings will also be established in the upper portion of this area, as discussed below.

As shown on Figure 6, shrubs will be planted on the slope adjacent to the river channel. The shrubs will be native species planted in a randomized pattern, approximately 3 feet on center. Shrub plantings will begin at approximately 571 feet MSL with buttonbush, and less water-tolerant species will be planted higher on the slope. The following shrub species are proposed, listed in order of decreasing tolerance to inundation.

| | |
|--------------------|----------------------------------|
| buttonbush | <i>Cephalanthus occidentalis</i> |
| swamp rose | <i>Rosa palustris</i> |
| red osier | <i>Cornus stolonifera</i> |
| silky dogwood | <i>Cornus amomum</i> |
| northern arrowood | <i>Viburnum recognitum</i> |
| downy serviceberry | <i>Amelanchier arborea</i> |
| American hazelnut | <i>Corylus americana</i> |

Construction of the riparian restoration area will be performed concurrently with construction of the bulkhead. The aquatic habitat shelf is expected to provide a refuge for fish in the lower Black River. Assuming water quality continues to improve in this area, the improved habitat is expected to result in an increase in local fish populations. OEPA samples this portion of the river (between the Erie Ave. bridge to the north, and the railroad bridge to the south), and the results of this sampling should give an indication of the effectiveness of the habitat improvements.